S/N 10/519;811 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

ERICKSON et al.

Examiner:

Unknown

Serial No.:

10/519,811

Group Art Unit:

Unknown

Filed:

December 28, 2004

Docket No.:

00270.0079USWO

Title:

HARVEST-INDUCIBLE GENES FROM ALFALFA (MEDICAGO

SATIVA) AND METHODS OF USE THEREOF (AS AMENDED)

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495870646 US

Date of Deposit: March 15, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By:_

Name: David Ortiz

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

23552 ATENT TRADEMARK OFFICE MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332-5300

Dated: March 15, 2005

Gregory A. Sebald Reg. No. 33,280

GAS/sbd

FORM 1449*

INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00270.0079USWO

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10/519,811

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	T	т	U.S. PATENT DOCUMEN	T	 	
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
-	4,693,976	09/1987	Schilperoort et al.			
	4,743,548	05/1988	Crossway et al.			
	4,940,835	07/1990	Shah et al.			
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	5,654,184	08/1997	Curtiss, III et al.			
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

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IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00270.0079USWO

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EXAMINER	DATE CONSIDERED	

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		FOI	REIGN PATENT DOCUM	IENTS			
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 120 516 A2	10/1984	Europe	_			
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	0 131 320	01/1985	Europe			Abstract	
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PATENT TRADEMARK OFFICE

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